

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Suits – High Court of AP – W.P.No.25760 of 2003 filed by Sri Madhava Chary, aggrieved by the common orders passed by the Joint Collector, Ranga Reddy District in file Nos.D5/5814/98 and D5/3727/2000, dt.13-09-2003 – Regarding land to an extent of AC 6.02 gts in Sy.No.365, Attapur Village, Rajendra Nagar Mandal, Ranga Reddy District - Appointment of Local Enquiry Officer as per Section 5 of A.P.Escheats and Bona Vacantia Act, 1974 – Orders – Issued.

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REVENUE (ASN.V) DEPARTMENT

G.O.Ms.No. 718

Dated: 30th July, 2010

Read the following:

- 1) From the Collector, Ranga Reddy District Lr.No.D1/ 3425/2007, dt.31-10-2007
- 2) From the CCLA Lr.No.T3/150/2008, dt.07-11-2008
- 3) Representation of Madhava Chary, R/o Attapur, Rajendranagar Mandal, dt.22-01-2009.
- 4) From Advocate General, A.P. Hyd., Lr.No.105/OP No.114/2009, dt.04-02-2010

ORDER

In the reference first read above, the Collector, Ranga Reddy District has reported that one Sri Madhava Chary filed a revision petition before the Joint Collector, Ranga Reddy District U/s 9 of A.P.Rights in Land and Pattadar Pass Books Act, 1971 for correction of entries in Revenue records against Sy.No.365, to an extent of Ac.6.02 gts., situated at Attapur Village of Rajendranagar Mandal in file No.D/5814/98 from the year 1955 to 1994 claiming to be the pattadar of the said land by virtue of the proceedings of the then MRO, Rajendranagar issued in file No.B/5131/94, dt.08-06-1995.

2. He has also stated that the Joint Collector, Ranga Reddy District, after enquiry vide Proceedings No.D5/5814/98 and D5/3727/2000, dt.13-09-2003 has set aside the orders of MRO in file No. B/5181/94 as the lands are escheated lands to State, being lawaris. Aggrieved by the above orders of the Joint Collector, Ranga Reddy District, Sri Madhava Chary has filed WP No.25760/2003 before the Hon'ble High Court. The Hon'ble High Court in its order dt.20.12.2006 in W.P.No.25760/2003 has set aside the orders of Joint Collector, Ranga Reddy District dt.13-09-2003 and the matter remitted back to Joint Collector, Ranga Reddy District to conduct enquiry or cause the enquiry conducted by competent authority, as contemplated under the A.P.Escheats and Bona Vacantia Act, 1974, after due notice to the parties who are likely to be affected by such declaration and only after such enquiry revisional authority can proceed further in the matter.

3. He has also reported that as per section 5 of A.P. Escheats and Bona Vacantia Act, 1974 the Government, by notification appoint the District Collector, or such Officer as they deem fit to be the local officer for each district and requested the Government to intimate the local officer appointed in Ranga Reddy District and also provide any other guidelines issued in this regard.

4. In the reference second read above, the Chief Commissioner of Land Administration, while explaining the provisions under A.P.Escheats and Bona Vacantia Act, 1974, has requested the Government to authorize on its behalf to conduct enquiry and to decide the matter and the said authority has to follow sections 7 and 11 of the said Act and pass necessary orders in the matter.

(PTO)

5. In the reference third read above, Sri Madhava Chary S/o Anantha Chary R/o Attapur has filed a representation before the Government, stating that he is the legal heir of the subject land to an extent of AC 6.02 gts., in Sy.No.365, at Attapur, Rajendranagar Mandal, and requested to go through records and to issue necessary orders as he being a legal heir to the said property, as per the orders of the Additional Junior ZCivil Judge, Hyderabad in O.S.No.74/2008 (New O.S.No.674/2008, dt.29.12.2008

6. In the reference fourth read above, the Advocate General opined that the orders of Hon'ble High Court is required to be complied with and enquiry under A.P.Escheats and Bona Vacantia Act is to be undertaken as per the operative portion of the directions contained in the Judgment in WP No.25760/2003 become final. He has also stated that the authority under the said Act to be satisfied about the claim of Mr.Madhava Chary as the Legal heir of Mr.Raghava Chary. The enquiry under the A.P.Escheats and Bona Vacantia Act will have to determine the claim of the Writ Petitioner on the basis of the documents already possesses including the decree of the Civil Court in O.S.No.674/2008 (New).

7. Government after careful examination of the matter, decided to appoint the Collector, Ranga Reddy District as Local Officer under Section 5 (1) of A.P.Escheats and Bona Vacantia Act, 1974 (A.P.Act - 35 of 1974) and also appoint the concerned Tahsildar to assist Local Officer under Section 5 (2) of the above said Act. The Collector, Ranga Reddy District shall conduct enquiry and furnish the enquiry report to Government through Spl.CS & Chief Commissioner of Land Administration immediately, for taking further action in the matter.

8. Accordingly, the following Notification shall be published in the Extraordinary issue of the A.P.Gazettee dated: 31st July, 2010.

NOTIFICATION

In exercise of the powers conferred by sub section (1) of section 5 of the Andhra Pradesh Escheats and Bona Vacantia Act, 1974 (A.P.Act 35 of 1974) Government hereby appoint the Collector, Ranga Reddy District as Local Officer to exercise the powers and perform the functions assigned by or under the said Act and under sub section (2) of section 5 appoint the concerned Tahsildar to assist him under the said Act.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESWAR TIWARI
SECRETARY TO GOVERNMENT

To
The Spl.CS & Chief Commissioner of Land Administration, Hyderabad
The Collector, Ranga Reddy District
The Commissioner, Printing Stationery Stores Purchase, Hyderabad
(With a request to give notification in Extra-ordinary issue of A.P.Gazette dated 31-07-2010 and supply 50 copies of same)
Copy to the Law (E) Department
SF/SCs.

// FORWARDED BY ORDER //

SECTION OFFICER